

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Richard Pulido

Councilmember Mary Collins

Councilmember Robert Meador II

Councilmember Nick Perdomo

Councilmember Nancy Simon

AGENDA
ZONING COUNCIL MEETING
November 18, 2008
6:00 PM
Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. INVOCATION/MOMENT OF SILENCE:**
- 4. PLEDGE OF ALLEGIANCE:**
- 5. PUBLIC COMMENTS:**
- 6. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**
- 7. ORDINANCES – FIRST READING:**

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO THE REGISTRATION OF BOATS AND PERSONAL WATERCRAFT; PROVIDING FOR A BOAT REGISTRATION PERIOD AND CONDITIONS FOR APPROVAL; PROVIDING FOR AN APPLICATION FEE; PROVIDING FOR CONTINUING ENFORCEMENT; AMENDING ARTICLE 6, SUPPLEMENTARY REGULATIONS, OF THE TOWN LAND DEVELOPMENT CODE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Roig)

- 8. ORDINANCES – SECOND READING (PUBLIC HEARING):**

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES' COMPREHENSIVE PLAN TO PROVIDE FOR THE NECESSARY PROVISIONS FOR PUBLIC

SCHOOL CONCURRENCY; PROVIDING FOR AN AMENDMENT TO THE EDUCATION FACILITIES ELEMENT; PROVIDING FOR AN AMENDMENT TO THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR AN AMENDMENT TO THE INTERGOVERNMENTAL COORDINATION ELEMENT; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND ALL OTHER UNITS OF LOCAL GOVERNMENT OR GOVERNMENTAL AGENCIES REQUIRED BY LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Roig)

9. RESOLUTIONS:

- A. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY IVAN AND JANET RODRIGUEZ IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.9(b)1.c. OF THE TOWN LDC TO PERMIT AN EXISTING FENCE 37.5 FEET BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE WHERE FENCES OR WALLS ARE NOT PERMITTED BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE; 2) DIVISION 6.5(b)6.b.(2) OF THE TOWN LDC TO PERMIT AN EXISTING BULKHEAD WATERWARD OF THE TOP OF SLOPE TO THE RESIDENCE TO EXTEND 3.25 FEET ABOVE THE EXISTING GRADE WHERE A WATERSIDE BULKHEAD IS NOT PERMITTED TO EXTEND MORE THAN 1 FOOT ABOVE THE EXISTING GRADE; AND 3) DIVISION 6.5(b)3 OF THE TOWN LDC TO PERMIT AN EXISTING SHORELINE CONTOUR AND ESTABLISHED SLOPE OF A LOT ABOVE WATER TO BE CHANGED OR MODIFIED WHERE THE SHORELINE CONTOUR AND ESTABLISHED SLOPE OF A LOT ABOVE WATER MAY NOT BE CHANGED OR MODIFIED WITH THE EXCEPTION OF INTERLOCKING BLOCK, CONCRETE, WOOD OR SIMILAR MATERIAL BULKHEADS OR DECKS, FOR PROPERTY LOCATED AT 6360 LAKE JUNE ROAD. (Roig)**
- B. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY ORLANDO AND THELMA CANALES IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.6(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY CONSTRUCTED OF ALUMINUM WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, FABRIC**

OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE; 2) DIVISIONS 5.6(a)2 AND 4.2(e) OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY TO PROJECT INTO THE REQUIRED REAR YARD SETBACK A MAXIMUM OF 11 FEET WHERE A MAXIMUM PROJECTION OF 7 FEET INTO THE REQUIRED REAR YARD 25 FOOT SETBACK IS PERMITTED; 3) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 110.78 SQUARE FEET OF TOTAL AREA WHERE 50 SQUARE FEET OF AREA PER STRUCTURE IS PERMITTED; 4) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 1.9 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 5) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED SETBACK 0.7 FEET FROM THE INTERIOR (NORTH) SIDE PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 6) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY STORAGE SHED WITH 7.5 FEET IN HEIGHT WHERE 6 FEET OF HEIGHT IS PERMITTED; 7) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (NORTH) SIDE YARD; 8) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED SIDE YARD DECK SETBACK 1.8 FEET FROM THE INTERIOR (NORTH) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; 9) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING 4 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (SOUTH) SIDE YARD; 10) DIVISION 5.7(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 0.1 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; 11) DIVISION 5.7(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 1.1 FEET FROM THE REAR (WEST) PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED; AND 12) DIVISION 5.7(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 0.1 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE A 5 FOOT SETBACK IS REQUIRED.FOR PROPERTY LOCATED AT 16360 NW 91ST COURT. (Roig)

- C. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED BY FRANCISCA SOTO IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.6(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED

CANOPY CONSTRUCTED OF ALUMINUM WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, FABRIC OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE FOR PROPERTY LOCATED AT 9040 NW 166TH TERRACE. (Roig)

- D. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY PABLO PALACIO IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN ACCESSORY STORAGE SHED WITH 120 SQUARE FEET OF TOTAL AREA WHERE SHEDS LARGER THAN 50 SQ. FT. ARE NOT PERMITTED; AND 2) DIVISION 5.3(a)2 OF THE TOWN LDC TO PERMIT AN ACCESSORY STORAGE SHED WITH 9 FEET IN HEIGHT WHERE SHEDS HIGHER THAN 6 FEET ARE NOT PERMITTED FOR PROPERTY LOCATED AT 15471 DURNFORD DRIVE.(Roig)**
- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY LUIS A. LOPEZ AND LUCY B. LOPEZ IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.6(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING ATTACHED CANOPY CONSTRUCTED OF ALUMINUM WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, FABRIC OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE; 2) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING 4.10 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (WEST) SIDE YARD; AND 3) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED SIDE YARD DECK SETBACK 0.9 FEET FROM THE INTERIOR (WEST) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED, FOR PROPERTY LOCATED AT 9100 NW 149TH TERRACE. (Roig)**
- F. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED BY LUIS AND IDANIA GARCIA IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 4.3(d)19 OF THE TOWN LDC TO PERMIT AN EXISTING ACCESSORY BUILDING (TIKI HUT) EXTENDING ABOVE THE HEIGHT OF THE PATIO WALLS; FOR PROPERTY LOCATED AT 7375 BIG CYPRESS COURT. (Roig)**

- G. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY PABLO RODRIGUEZ, JR. AND MARIA RODRIGUEZ IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.7(A)2 OF THE TOWN LDC TO PERMIT AN EXISTING 7.30 FEET WIDE PAVED WALKWAY, WHERE 3 FEET IS PERMITTED WITHIN THE REQUIRED (NORTH) SIDE YARD; AND 2) DIVISION 5.7(A)2 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED SIDE YARD DECK SETBACK .20 FEET FROM THE INTERIOR (NORTH) PROPERTY LINE WHERE A 2 FOOT SETBACK IS REQUIRED; FOR PROPERTY LOCATED AT 16830 NW 82ND AVENUE. (Roig)**
- H. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO A VARIANCE REQUEST FILED BY ALFRED AND ANN DARMANIN IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 6.8(b) OF THE TOWN LDC TO PERMIT AN EXISTING TILE ROOF TO BE REPLACED WITH A PROPOSED STANDING SEAM RIBBED METAL ROOF, FOR PROPERTY LOCATED AT 14612 ROSEWOOD ROAD. (Roig)**
- I. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY ROBERTO PEREZ AND OSVALDO SOLER IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE “TOWN LDC”) [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISION 5.8(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING DRIVEWAY SETBACK 1.65 FEET FROM THE INTERIOR (EAST) SIDE PROPERTY LINE; 2) DIVISION 5.8(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING DRIVEWAY SETBACK 1.20 FEET FROM THE INTERIOR (WEST) SIDE PROPERTY LINE; 3) DIVISION 5.8(a)6 OF THE TOWN LDC TO PERMIT AN EXISTING IMPERVIOUS AREA OF 70.2% FOR DRIVEWAYS; 4) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING 4.60 FEET WIDE PAVED WALKWAY WITHIN THE REQUIRED (EAST) SIDE YARD; 5) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED SIDE YARD DECK SETBACK .40 FEET FROM THE INTERIOR (EAST) PROPERTY LINE; 6) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING 4.54 FEET WIDE PAVED WALKWAY WITHIN THE REQUIRED (WEST) SIDE YARD; 7) DIVISION 5.7(a)2 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED SIDE YARD DECK SETBACK .46 FEET FROM THE**

INTERIOR (WEST) PROPERTY LINE; 8) DIVISION 5.7(a)3 OF THE TOWN LDC TO PERMIT AN EXISTING PAVED REAR DECK SETBACK .21 FEET FROM THE INTERIOR (WEST) SIDE PROPERTY LINE; AND 9) DIVISION 5.7(a)5 OF THE TOWN LDC TO PERMIT AN EXISTING LOT COVERAGE OF 70% FOR IMPERVIOUS AREAS, FOR PROPERTY LOCATED AT 8757 NW 139TH STREET. (Roig)

- J. RESOLUTION OF THE TOWN COUNCIL PERTAINING TO SEVERAL VARIANCE REQUESTS FILED BY MIGUEL AND AURORA CHAMAH IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC") [GRANTING/DENYING] A VARIANCE TO WAIVE: 1) DIVISIONS 4.2(e) OF THE TOWN LDC TO PERMIT A PROPOSED SINGLE FAMILY RESIDENCE SETBACK 22 FEET FROM THE REAR (SOUTH) PROPERTY LINE; 2) DIVISION 4.2(e)7 OF THE TOWN LDC TO PERMIT A PROPOSED SWIMMING POOL EXTENDING 20 FEET WATERWARD OF THE TOP OF SLOPE BUT LANDWARD OF THE WATER'S EDGE; 3) DIVISION 6.5(b)6.d.(2) OF THE TOWN LDC TO PERMIT 437 SQUARE FEET OF PROPOSED DECK WATERWARD OF THE TOP OF THE SLOPE; AND 4) DIVISION 6.5(b)6.b.(1) OF THE TOWN LDC TO PERMIT A PROPOSED FENCE 11.5 FEET BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE, FOR PROPERTY LOCATED AT 8512 NW 168TH TERRACE. (Roig)**

10. FUTURE MEETINGS:

**December 9, 2008 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30PM
December 16, 2008 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6 PM**

15. ADJOURNMENT:

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town Hall, 15700 NW 67th Avenue, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.